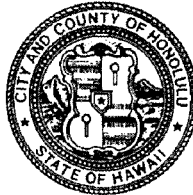


DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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PHONE: (808) 768-8000 • FAX: (808) 768-6041  
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KIRK CALDWELL  
MAYOR



March 28, 2013

The Honorable Ikaika Anderson, Chair  
and Members of the Committee on  
Zoning and Planning  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Chair Anderson and Councilmembers:

SUBJECT: Bill 65 (2012) to Adopt the Revised 'Ewa Development Plan

Councilmember Pine recently brought to our attention seventeen proposed amendments to Bill 65 (2012), which were submitted last fall by former Councilmember Tom Berg and Glen Oamilda, and asked what our recommendations to the Council would be on the amendments.

The attached table provides our recommendations and the reasoning behind the recommendations.

Should you have any questions, please call me at 768-8000.

Very truly yours,

A handwritten signature in cursive script, reading "George I. Atta".

George I. Atta, FAICP, LEED AP, CEI  
Director Designate  
Department of Planning and Permitting

GIA:rns4  
1026606

Attachment

APPROVED:

A handwritten signature in cursive script, reading "Ember Lee Shinn".

Ember Lee Shinn  
Managing Director

RECEIVED  
CITY CLERK  
CITY AND COUNTY OF HONOLULU  
2013 MAR 28 AM 11:52  
2013 MAR 27 P 12:15  
CITY COUNCIL  
HONOLULU, HAWAII  
GEO. I. ATTA  
FAICP, LEED AP, CEI  
DIRECTOR DESIGNATE  
ARTHUR J. CHALLINOR  
DEPUTY DIRECTOR

March 19, 2013

Department of Planning and Permitting Responses to Proposed Amendments to the  
‘Ewa Development Plan (Bill 65, 2012)

PROPOSED AMENDMENT	RESPONSE
<p>1. <b>(B, O) Move Urban Growth Boundary</b> south to Mango Tree Boulevard, east to Fort Weaver Road and west to Kualaka‘i Parkway to ensure preservation of important high quality agricultural lands and keep the Ewa Plain's highways from becoming vastly overcrowded. <i>(This would put the area proposed for the Ho‘opili project outside the Community Growth Boundary.)</i></p>	<p><b>Oppose.</b></p> <ul style="list-style-type: none"> <li>• <b>Protection of agricultural lands and open space is a key vision element</b> of the existing ‘Ewa DP and the proposed revised DP. The adopted Plan protects 3,000 acres of agricultural land above H-1 along Kunia Road.</li> <li>• The agricultural land protection issue was analyzed in the ‘Ewa DP Review. (See the Review Report vision implementation summary on p. 2-2, the agricultural lands protection issues analysis on pp. 2-15 – 2-17, and DPP responses to comments received in 2008 and 2009 on agricultural protection and Ho‘opili in Appendix C, pp. C-5, C-9, and C-17.)</li> <li>• <b>DPP recommends no change to the ‘Ewa Plan growth boundary</b> that was established in 1997 by the adopted Plan because: <ul style="list-style-type: none"> <li>○ <b>Loss of some good agricultural land in ‘Ewa is the price paid for saving land elsewhere on O‘ahu as part of the "Keep the Country country" policy</b> that steers development away from rural and sustainable communities areas to the Primary Urban Center (PUC), the City of Kapolei, and the urban fringe areas in ‘Ewa and Central O‘ahu;</li> <li>○ This policy of focusing development on ‘Ewa, Central O‘ahu, and the PUC was first adopted in the late 1970s, and has been repeatedly endorsed since then by all subsequent City Councils and Mayors through plan approvals, zone changes, and millions of dollars in infrastructure improvements.</li> <li>○ Since the 1970s, the Ho‘opili area has been identified in City plans as part of the ‘Ewa urban fringe which is eventually to be developed as part of the islandwide strategy described above.</li> <li>○ <b>We are not in danger of running out of high quality agricultural lands.</b> The City's eight regional plans (Development Plans and Sustainable Communities Plans) protect thousands of high quality agricultural lands from urban development, including 10,000 acres in Central O‘ahu, 40,000 acres on the North Shore, and hundreds of acres in other areas, including Wai‘anae, near Kahuku, in Waiāhole/Waikāne, and in Waimānalo.</li> <li>○ The City's consultant for the O‘ahu General Plan update has identified 30,000 acres of O‘ahu agricultural lands that are not being farmed currently and could be farmed if some one wants to do so.</li> </ul> </li> </ul>

PROPOSED AMENDMENT	RESPONSE
	<ul style="list-style-type: none"> <li>• <b>Provision of adequate infrastructure to meet existing and projected needs</b> is also a key vision element in the existing and proposed 'Ewa DP. <ul style="list-style-type: none"> <li>○ The transportation infrastructure adequacy issue was analyzed in the 'Ewa DP Review. (See the Review Report vision implementation summary on p. 2-4, the issue analysis on pp. 2-6 to 2-12; and the response to comments in Appendix C, pp. C-1, C-5, C-7, C-12, C-13, C-16, C-17, C-52, C-56, and C-57.</li> <li>○ Development of the Ho'opili project would help relieve congestion within 'Ewa by providing alternative mauka-makai and east-west connectors to relieve congestion on existing routes.</li> <li>○ Residents of new homes built in the Ho'opili project will be less likely to drive and much more likely to ride the rapid transit system than residents of new homes built elsewhere in already approved 'Ewa projects because of Ho'opili's proximity to two rapid transit system stations.</li> </ul> </li> </ul>
<p>2. <b>(B) No Ewa Bio-Hazard Lab.</b> Do not permit a federal bio-lab using imported deadly viruses and testing on live animals to be allowed in the community under the Ewa Development Plan.</p>	<p><b>Disagree</b></p> <ul style="list-style-type: none"> <li>• <b>DPP recommends no amendment of the 'Ewa DP</b> to either prohibit medical laboratories from locating in appropriately zoned areas of 'Ewa, or to recommend denial of a permit for a particular medical laboratory project.</li> <li>• <b>A general prohibition of medical laboratories does not make sense.</b> Medical laboratories and research centers are a permitted use in business, industrial, and industrial mixed use zoning districts, and in some cases are probably already handling "deadly viruses."</li> <li>• This amendment will send <b>the wrong message regarding high tech industry development in Hawaii.</b></li> <li>• <b>The City does not have jurisdiction.</b> <ul style="list-style-type: none"> <li>○ <b>Federal and State agencies have the responsibility for insuring safe operation</b> of medical research labs, and specifying the standards that must be met through their permit processes. The City and County relies on expertise and authority of the responsible Federal and State agencies to set the standards and determine appropriate siting. State and Federal guidelines already exist to adequately contain and manage these potential hazards.</li> <li>○ <b>The proposed UH Pacific Health Research Lab</b> site is located adjacent to Hawaii Air National Guard Facilities in Kalaeloa which <b>is under the control of the Hawaii Community Development Authority.</b> HCDA has exempted itself from City planning and zoning controls for Kalaeloa.</li> </ul> </li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>3. <b>(B) DHHL DeBartolo Shopping Center EDP Compliance.</b> Request that the Department of Hawaiian Home Lands' DeBartolo Shopping Center project cooperate with the Ewa Development Plan. This location will have two hotels and is also expected to include a station for the rail project. This would have widespread impacts on area traffic, taxes and potential unregulated construction.</p>	<p><b>Not applicable</b></p> <ul style="list-style-type: none"> <li>• <b>DPP has asked DHHL to follow the 'Ewa DP.</b> The existing and proposed 'Ewa DP call for limiting development of Major Community Commercial Centers and Regional Commercial Centers to the City of Kapolei.</li> <li>• In response to past DPP requests for DHHL to develop according to the vision of the 'Ewa DP, DHHL has formally exempted itself from the City's plans and zoning for the Ka Makana Ali'i project, and stated their intention to develop a 1.6 million square feet Regional Commercial Center with two hotels and two office towers with 100,000 square feet of office space.</li> <li>• DHHL did file an environmental assessment in 2011 and prepared supplemental market analysis in 2012 at the request of the state land use commission.</li> <li>• <b>The issue and the requested policy is already in the proposed revised Plan.</b> The proposed Plan <ul style="list-style-type: none"> <li>○ calls for the DHHL center to be limited to 250,000 square feet and to primarily serve the surrounding residential communities, and</li> <li>○ notes that DHHL has exempted itself from the Plan, and provides the details on what DHHL plans for their shopping center.</li> </ul> </li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>4. <b>(B)</b> No desalination plant in EDP. New development in the Ewa Plain should cease when the natural fresh water resource reserves are exhausted.</p>	<p><b>Disagree</b></p> <ul style="list-style-type: none"> <li>• <b>DPP opposes the proposed amendment.</b> Desalination is one of a variety of water supply, water conservation, and system efficiency improvements that may be needed to meet future water demand</li> <li>• At BWS request, a number of policies supporting alternative water sources, conservation of potable water, and improved efficiency of water usage are included in the proposed Plan. <ul style="list-style-type: none"> <li>○ The water system for 'Ewa is part of an island-wide system providing water to serve homes and job centers island wide.</li> <li>○ Adequate water to meet existing and projected needs can be assured by a combination of water source development, water conservation, recycling, and increased efficiency.</li> <li>○ Board of Water Supply has long been planning to use desalination to supplement well water at some point in future.</li> <li>○ The cost of developing desalination plants is comparable to the cost of developing new wells, although operations are more expensive.</li> <li>○ The site planned for a desalination plant in Kalaeloa will be needed if and when desalination is needed to supplement the potable water available from wells and tunnels.</li> <li>○ The need for desalination has been forestalled by use of recycled water recovered from wastewater for irrigation and industrial uses, and dramatic improvements in conservation of potable water, and efficiency of water systems.</li> <li>○ BWS is currently preparing its Ewa Watershed Management Plan, which will come before the city council for adoption.</li> </ul> </li> </ul>
<p>5. <b>(B, O)</b> The <u>Ewa Village Master Plan</u> needs to be completed because of major land transactions taking place next to historic Verona Village.</p>	<ul style="list-style-type: none"> <li>• <b>The proposed Plan does include information about the update and revision of the 'Ewa Villages Master Plan,</b> and proposes adding a policy calling for establishment of a neighborhood commercial services core in the Village.</li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>6. <b>(B)</b> The <u>East West Connector Road</u> should be built before any major Ho'opili/ DR Horton development is allowed that will cause massive traffic jams on area roads.</p>	<p><b>Not Needed</b></p> <ul style="list-style-type: none"> <li>• <b>The existing Plan calls for the development of additional east-west roads in 'Ewa to improve connectivity and access.</b></li> <li>• The East-West Connector Road was included as part of the recommended roadway plan for 'Ewa in the 2009 <b><u>'Ewa Roadway Connectivity Study</u></b>.</li> <li>• The proposed Plan specifically adds the East-West Connector Road in East Kapolei as an additional element of the 'Ewa Roadway Network.</li> <li>• <b>The appropriate planning processes for determining the timing of regional roadways in 'Ewa</b> are those for the <b><u>'Ewa Highway Master Plan</u></b> (EHMP) and the <b><u>O'ahu Regional Transportation Plan</u></b> (ORTP) which serve, in turn, as the basis for financing decisions. Roadway timing reported in the existing 'Ewa DP and in the proposed DP reflects timing in the current EHMP and ORTP.</li> <li>• The DHHL has begun work on its portion of the East-West Road. Completion of the Ho'opili portion of the road would require City Council approval of the zoning for the project. Timing of the Ho'opili portion of the roadway could be required as a condition of zoning. If desired, zoning, not the Development Plan, is the appropriate level at which specific timing requirements should be included; especially since we are proposing deletion of the phasing language of the Ewa DP.</li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>7. <b>(B) <u>Ewa Historic and Cultural Resources.</u></b> All historic civilian, military and important Hawaiian cultural features not currently recognized in the Ewa Development Plan should be defined in the plan before the bill is passed into law.</p>	<p><b>Disagree</b></p> <ul style="list-style-type: none"> <li>• <b>The existing and the proposed ‘Ewa DP do call for protection of all important historic and cultural resources in ‘Ewa, and includes a listing of the most significant of these resources as reflected by State and National listings.</b></li> <li>• The proposed Plan adds policies calling for <ul style="list-style-type: none"> <li>○ Identification and protection of shoreline and mountain areas important to Native Hawaiian cultural practices;</li> <li>○ Protection of the Honouliuli Internment Camp and the ‘Ewa Marine Corps Air Field sites; and</li> <li>○ Support of historic railway operations on the OR&amp;L right-of-way.</li> </ul> </li> <li>• A listing of "<b>all</b> historic civilian, military, and important Hawaiian cultural features" might make sense for a historical resource protection plan for ‘Ewa, but inclusion of such a lengthy and comprehensive listing in the ‘Ewa DP is not needed nor necessary. The ‘Ewa Development Plan calls for protection of these resources by requiring surveys and protection and mitigation plans approved by the State Historic Preservation Officer who has the responsibility, under State law, for historic and cultural resource protection.</li> <li>• Every time a new resource is discovered or placed on a registry, a Development Plan amendment would be required, which is not appropriate for a long range regional policy plan.</li> </ul>
<p>8. <b>(B) <u>Ewa Historic Heritage Trails.</u></b> Ewa Plain's historic heritage trails need listing in the State of Hawaii "Na Ala Hele" trails database to ensure that future generations will have pedestrian access rights to traditional areas of cultural activity.</p>	<p><b>Not Needed</b></p> <ul style="list-style-type: none"> <li>• <b>The existing and proposed ‘Ewa DP provide protection for the trails,</b> if recognized as historic resources by the State Historic Preservation Office. The protection is provided by the requirement for surveys of proposed development sites for historic, archaeological, and cultural resources approved by the State Historic Preservation Office (SHPO) and for SHPO approval of protection and mitigation plans before development can proceed.</li> <li>• It is not the Development Plan’s role to dictate what should be on the state’s database.</li> </ul>
<p>9. <b>(B) <u>HCDA Kalaeloa Coordination.</u></b> HCDA should be in full coordination with the Ewa Development Plan. Without such coordination, everything done in this area will be fractionalized and spot zoned.</p>	<p><b>Not Needed</b></p> <ul style="list-style-type: none"> <li>• The proposed ‘Ewa DP calls for the HCDA to submit its 2006 <b><u>Kalaeloa Master Plan</u></b> to the City Council for acceptance as the Special Area Plan for Kalaeloa. (Previously, the Council accepted the 2000 Kalaeloa Redevelopment Plan prepared by the Barbers Point Naval Air Station Redevelopment Commission by Resolution 01-86 in 2001.)</li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>10. <b>(B)</b> <u>Ewa Plains Karst Water System</u>. Recognize in the EDP that the Ewa Plain's water system is an important hydrological, geological and cultural feature with possible hazards that may need mitigation.</p>	<ul style="list-style-type: none"> <li>• The proposed 'Ewa DP adds a policy protecting endangered fish and invertebrates present in sinkholes such as Ordry Pond.</li> <li>• It is not clear what specific policies or guidelines are desired beyond the existing and proposed policies protecting natural, cultural, and historic resources in 'Ewa and guarding and conserving the 'Ewa nonpotable aquifer.</li> </ul>
<p>11. <b>(B)</b> <u>Kualaka'i Parkway</u>. Kualaka'i Parkway should terminate at Roosevelt Road, and Coral Sea Road should become the main arterial thoroughfare for shoreline projects such as Haseko's Ocean Pointe development.</p>	<p><b>Not Needed</b></p> <ul style="list-style-type: none"> <li>• The existing and proposed 'Ewa DP show <u>conceptual</u> locations of mauka-makai and east-west connections.</li> <li>• The DP is not the appropriate vehicle to determine exact alignments of such connections which are decided as part of capital improvement program planning and approvals.</li> <li>• The exact alignment for the extension of Kualaka'i Parkway allowing improved connectivity and access to the Kalaeloa shoreline and the Hoakalei resort and lagoon will be determined during the project planning for the extension.</li> <li>• The proposed Plan adds a policy calling for protection of the 'Ewa Marine Corps Air Field site while a study is done to establish the condition of the site and the appropriate treatment of historic resources at the site. That assessment should be considered in the alignment of any extension of Kualaka'i Parkway.</li> </ul>
<p>12. <b>(B, O)</b> <u>Transportation Policies and Guidelines</u>. Change "should" to "shall"</p>	<ul style="list-style-type: none"> <li>• We have been advised by Corporation Counsel that the language legally required to be used in plans for policy statements is "should" because the Development Plans and Sustainable Communities Plans are guidelines; they are not regulations like the Land Use Ordinance which do use the verb "shall."</li> <li>• The "should" gets translated into "shall" when the Council adopts zone changes and amends land use regulations in order to implement the Plan and when the City Departments amend their rules and best practice standards to implement the Plan.</li> <li>• The Charter requires that the Council and the City Departments must be consistent with the DPs and SCPs when they take these implementing actions.</li> </ul>
<p>13. <b>(B)</b> <u>Kapolei Business District</u>. Build the downtown business district in Kapolei.</p>	<ul style="list-style-type: none"> <li>• The vision, policies and guidelines in the existing and the proposed Plan call for the full development of the City of Kapolei.</li> </ul>



PROPOSED AMENDMENT	RESPONSE
<p>14. <b>(B)</b> <u>Farmland Food Sustainability</u>. Amend the 'Ewa DP vision to reflect the critical need to preserve top grade irrigation ready food sustainability farmland at Ho'opili.</p>	<ul style="list-style-type: none"> <li>• As discussed above in the response to the first amendment proposal, our finding is that there is more than enough high quality agricultural land on O'ahu to provide for future food production needs, even if we are required to grow 100% of the crops now being imported which could be grown on O'ahu.</li> <li>• As a result, retention of agricultural use at Ho'opili is not necessary for sustainability of food production.</li> <li>• In addition, development of Ho'opili is part of the larger O'ahu strategy to develop homes in 'Ewa, Central O'ahu, and the Primary Urban Center so that we can keep the Country country and sustain the low density character of existing suburban communities in East Honolulu and Windward Oahu.</li> </ul>
<p>15. <b>(B)</b> <u>School Facilities</u>. Require that all current schools be provided with air conditioning before any new schools with air condition can be constructed.</p>	<ul style="list-style-type: none"> <li>• The Development Plan is not the appropriate vehicle for such a policy which properly belongs to the Department of Education. The City lacks the authority to make or enforce such a requirement.</li> </ul>
<p>16. <b>(O)</b> Combine the O'ahu General Plan, the 'Ewa Development Plan, the 'Ewa Villages Master Plan, the 'Ewa Marina Master Plan, the 'Ewa Regional Transportation Master Plan, and the Kalaeloa Master Plan into "one grand planning guide under the purview of the city's Department of Planning and Permitting"</p>	<ul style="list-style-type: none"> <li>• The O'ahu General Plan, the 'Ewa Development Plan, and the master plans for Ocean Pointe and for 'Ewa Villages are part of a coordinated comprehensive planning system. <ul style="list-style-type: none"> <li>○ The General Plan provides the islandwide vision and policies which the individual Development Plans like the 'Ewa Plan are to carry out. (Chapter 1 of the 'Ewa Plan spells out exactly what role the General Plan specifies that 'Ewa should play in the island's development.</li> <li>○ The 'Ewa Development Plan, in turn, provides the vision, policies, and guidelines that functional plans and special area plans like the Ocean Pointe and 'Ewa Villages master plans are supposed to implement.</li> </ul> </li> <li>• The proposed 'Ewa DP provides policies and guidelines specifically for Kalaeloa and for residential, commercial, and industrial development, and calls for the Hawaii Community Development Authority to submit its Kalaeloa Master Plan for acceptance by the City Council as the Special Area Plan for Kalaeloa.</li> </ul>

PROPOSED AMENDMENT	RESPONSE
<p>17. (O) <u>'Ewa Marina Master Plan</u>. Delay Haseko's proposed amendments "until the State's Land Board (has) a chance for the developer to file a motion to amend certain conditions applicable to a lagoon . . . "</p>	<ul style="list-style-type: none"> <li>• DPP supports Haseko's proposed amendments establishing lagoon uses as an interim use which will not preclude the eventual development of a marina if financing and demand makes the project feasible.</li> <li>• As an expression of City policy, the development plans are not dependent on prior State action.</li> <li>• It is our understanding that the Land Use Commission staff have indicated that they did not feel there is any requirement for Haseko to return to the Commission to request amendments to the Commission's Decision and Orders regarding the Ocean Point/Hoakalei project.</li> </ul>

**Key:**

(B) Councilmember Tom Berg, Nov. 21, 2012 DP Amendment Proposals (City Council files); Dec. 5, 2012 **MidWeek West Oahu** article.

(O) Dec. 15, 2012 letter from Glen Oamilda, President, 'Ewa Beach Community Association to Councilmember Ikaika Anderson, Chair, Zoning and Planning Committee.

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